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**Federal Communications Commission**

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**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Blessed Hope Baptist Mission	)	File No.: EB-FIELDWR-13-00009738
Licensee of KSVJ (FM)	)	
	)	NOV No.: V201332780024
Seward, Alaska	)	
	)	Facility ID: 176426
	)	

**NOTICE OF VIOLATION**

**Released: July 9, 2013**

By the Anchorage Resident Agent Office, Anchorage, Alaska, Western Region, Enforcement Bureau:

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission's rules (Rules)<sup>1</sup> to Blessed Hope Baptist Mission, (Blessed Hope) licensee of radio station KSVJ(FM) with a community of service in Seward, Alaska. Pursuant to Section 1.89(a) of the Rules, issuance of this Notice does not preclude the Enforcement Bureau from further action if warranted, including issuing a Notice of Apparent Liability for Forfeiture for the violation(s) noted herein.<sup>2</sup>

2. On June 18, 2013, an agent of the Enforcement Bureau's Anchorage Office located by direction finding and signal strength techniques an unmodulated signal on 90.7 MHz in the FM broadcast band to the Resurrection Bay Baptist Church on the Seward Highway. While no persons were available to inquire of the operations the Anchorage Office observed the following violation:

- a. 47 C.F.R. § 73.1350(a) "Each licensee is responsible for maintaining and operating its broadcast station in a manner which complies with the technical rules set forth elsewhere in this part and in accordance with the terms of the station authorization." At the time of the inspection, the inspecting agent observed that the KSVJ transmissions emanated from a location other than authorized and with an unauthorized antenna. The location at/near the base of the antenna-supporting pole, noted with a GPS receiver, to be at approximate coordinates N 60° 10' 36", W 149° 23' 59". Additionally, the antenna in use at this location is a two-bay vertically polarized unit.<sup>3</sup>

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,<sup>4</sup> and Section 1.89 of the Rules, we seek additional information concerning the violations and any remedial

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<sup>1</sup> 47 C.F.R. § 1.89.

<sup>2</sup> 47 C.F.R. § 1.89(a).

<sup>3</sup> See BLED-20130524ABJ, License to Cover and subsequent BMPED-20130624ABE Construction Permit, both documents in an "Accepted for Filing" status within the Commission's CDBS system. (Last visited 07/02/2013)

<sup>4</sup> 47 U.S.C. § 308(b).

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actions taken. Therefore, Blessed Hope Baptist Mission, must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response (i) must fully explain each violation, including all relevant surrounding facts and circumstances, (ii) must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and (iii) must include a time line for completion of any pending corrective action(s). The response must be complete in itself and must not be abbreviated by reference to other communications or answers to other notices.<sup>5</sup>

4. In accordance with Section 1.16 of the Rules, we direct Blessed Hope Baptist Mission, to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of Blessed Hope Baptist Mission, with personal knowledge of the representations provided in Blessed Hope Baptist Mission, Inc., response, verifying the truth and accuracy of the information therein,<sup>6</sup> and confirming that all of the information requested by this Notice which is in the licensee's possession, custody, control, or knowledge has been produced. To knowingly and willfully make any false statement or conceal any material fact in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.<sup>7</sup>

5. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission  
Anchorage Resident Agent Office  
PO Box 231949  
Anchorage, AK 99523-1949

6. This Notice shall be sent to Blessed Hope Baptist Mission, at its address of record.

7. The Privacy Act of 1974<sup>8</sup> requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance.

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<sup>5</sup> 47 C.F.R. § 1.89(c).

<sup>6</sup> Section 1.16 of the Rules provides that “[a]ny document to be filed with the Federal Communications Commission and which is required by any law, rule or other regulation of the United States to be supported, evidenced, established or proved by a written sworn declaration, verification, certificate, statement, oath or affidavit by the person making the same, may be supported, evidenced, established or proved by the unsworn declaration, certification, verification, or statement in writing of such person . . . . Such declaration shall be subscribed by the declarant as true under penalty of perjury, and dated, in substantially the following form . . . : ‘I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)’.” 47 C.F.R. § 1.16.

<sup>7</sup> 18 U.S.C. § 1001 *et seq.* See also 47 C.F.R. § 1.17.

<sup>8</sup> P.L. 93-579, 5 U.S.C. § 552a(e)(3).

FEDERAL COMMUNICATIONS COMMISSION

David J. Charlton  
Resident Agent  
Anchorage Resident Agent Office  
Western Region  
Enforcement Bureau